

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH WAYNE CREEMEDICINE,

Defendant.

CR 12-53-GF-BMM

ORDER

This case was referred to United States Magistrate Judge John Johnston for a revocation hearing and findings and recommendations. The revocation hearing was set for November 1, 2016. The Government moved to dismiss the revocation petition at the start of the hearing so the Defendant could immediately begin substance abuse treatment.

Judge Johnston entered his Findings and Recommendations on November 7, 2016. Judge Johnston recommended that this Court dismiss the revocation petition based upon the Government's motion. (Doc. 56 at 5).

No objections were filed by either party. Judge Johnston's Findings and Recommendations are therefore reviewed for clear error. *McDonnell Douglas Corp. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1319 (9th Cir. 1981).

The Court agrees with Judge Johnston's Findings and Recommendations.

Accordingly, IT IS ORDERED:

1. Judge Johnston's Findings and Recommendations (Doc. 56) are adopted in full.
2. The petition to revoke Defendant's supervised release is DISMISSED.
3. Defendant shall remain on supervision subject to the conditions imposed previously.

DATED this 22nd day of November, 2016.



Brian Morris
United States District Court Judge